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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,382	08/29/2000	SLIM SOUSSI	PF01963NA	9462
20280 7590 03/17/2011 MOTOROLA MOBILITY, INC 600 NORTH US HIGHWAY 45 W2-55BB LIBERTYVILLE, IL 60048-5343			EXAMINER LEE, JOHN J	
			ART UNIT 2618	PAPER NUMBER
			NOTIFICATION DATE 03/17/2011	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 09/651,382	Applicant(s) SOUISSI ET AL.	
	Examiner JOHN LEE	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 34-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 34-36, 40, 42, 44-48 and 52-55 is/are rejected.
- 7) ☒ Claim(s) 37-39, 41, 43 and 49-51 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/18/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Supplemental Appeal Brief filed on 5/28/2003, PROSECUTION IS HEREBY REOPENED. A new ground rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 34-36, 40, 42, 44-48, and 52-55** are rejected under 35 U.S.C. 102(e) as being anticipated by Bajikar (US 7,126,527).

Regarding **claim 34**, Bajikar teaches a method in a mobile wireless communication handset (150 in Fig. 1). Bajikar teaches that receiving base station location information (receiving base station location information of cellular base station in relative close proximity) of a cellular communication base station (Fig. 1, 2 and column 3, lines 28 – column 5, lines 56). Bajikar teaches that receiving a base station cellular area information (receiving measured location information such as distances between stations (base and mobile and/or base and base) or a geological survey or other physical measurement techniques or result of location readings for cellular communication base station) for the cellular communication base station for which the base station location information is received (Fig. 1, 2 and column 3, lines 28 – column 5, lines 56). Bajikar teaches that determining a course location (setting and providing a course location of mobile station based on measured location information (cellular area information) and known location information (base station location information)) of the mobile wireless communication handset based on the distance to serving base station information and on the cellular area information (Fig. 1, 2, 4, column 6, lines 10 – column 8, lines 4, and column 3, lines 28 – column 5, lines 56).

Regarding **claim 35**, Bajikar teaches that determining a refined location of the mobile wireless communication handset based on the course location (Fig. 1, 2, 4 and

column 6, lines 10 – column 8, lines 4, where teaches determined obtaining advantageous sets of stations for certain locations).

Regarding **claim 36**, Bajikar teaches that the mobile wireless communication handset (10 in Fig. 2) is a global positioning system (GPS) (Fig. 6) enabled mobile wireless communication handset (Fig. 1, 6 and column 9, lines 11 – column 10, lines 20), determining a GPS based location (determining location by GPS) of the mobile wireless communication device (Fig. 1, 6 and column 9, lines 11 – column 10, lines 20), reducing a GPS search space with the course location when determining the GPS based location of the mobile wireless communications handset (Fig. 1, 6 and column 9, lines 11 – column 10, lines 20, where teaches improving measuring precise location and saving resource using the course location as determining location by GPS).

Regarding **claim 40**, Bajikar teaches all the limitation, as discussed in claim 34. Furthermore, Bajikar further teaches that receiving bearing information (GPS information) from the cellular communication base station (Fig. 1, 6 and column 9, lines 11 – column 10, lines 20). Bajikar teaches that determining a course location (setting and providing a course location of mobile station based on measured location information (cellular area information) and known location information (base station location information)) of the mobile wireless communication handset based on the base station location information, and the base station cellular area information (Fig. 1, 2, 4, column 6, lines 10 – column 8, lines 4, and column 3, lines 28 – column 5, lines 56), and bearing information (Fig. 1, 6 and column 9, lines 11 – column 10, lines 20).

Regarding **claim 42**, Bajikar teaches all the limitation, as discussed in claims 34 and 35.

Regarding **claim 44**, Bajikar teaches all the limitation, as discussed in claims 34 and 35. Furthermore, Bajikar further teaches that receiving bearing information (GPS information) from a plurality of at least two base stations (Fig. 1, 6 and column 9, lines 11 – column 10, lines 20, where teaches receiving GPS information from a plurality base station or satellites). Bajikar teaches that determining a coarse location of the mobile wireless communications handset (setting and providing a coarse location of mobile station based on measured location information (cellular area information) and known location information (base station location information)) based on the bearing information (GPS information) (Fig. 1, 2, 6, column 6, lines 10 – column 8, lines 4, and column 9, lines 11 – column 10, lines 20). Bajikar teaches that determining a refined location of the mobile wireless communication handset based on the coarse location (Fig. 1, 2, 4 and column 6, lines 10 – column 8, lines 4, where teaches determined obtaining advantageous sets of stations for certain locations based on the coarse location).

Regarding **claim 45**, Bajikar teaches all the limitation, as discussed in claims 34 and 36.

Regarding **claim 46**, Bajikar teaches all the limitation, as discussed in claims 34 and 44.

Regarding **claim 47**, Bajikar teaches all the limitation, as discussed in claims 34 and 44.

Regarding **claim 48**, Bajikar teaches all the limitation, as discussed in claims 34 and 44.

Regarding **claim 52**, Bajikar teaches all the limitation, as discussed in claims 40 and 44. Furthermore, Bajikar teaches that the transmitting the base station location information, the cellular area, the bearing information in a provided base station almanac message (Fig. 1, 2, 6, column 6, lines 10 – column 8, lines 4, and column 9, lines 11 – column 10, lines 20).

Regarding **claim 53**, Bajikar teaches all the limitation, as discussed in claims 40 and 44. Furthermore, Bajikar further teaches that the transmitting the base station location information, cellular area, the bearing information in a common message (Fig. 1, 2, 6, column 6, lines 10 – column 8, lines 4, and column 9, lines 11 – column 10, lines 20).

Regarding **claim 54**, Bajikar teaches all the limitation, as discussed in claims 34, and 44.

Regarding **claim 55**, Bajikar teaches all the limitation, as discussed in claims 44 and 54.

Allowable Subject Matter

4. Claims 37-39, 41, 43, 49, 50, and 51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 37-39, 41, 43, 49, 50, and 51, the cited prior art fail to disclose the limitation “receiving a bearing angular width information for the cellular

communication base station, and determining the coarse location of the mobile wireless handset based on the base station location information, the base station cellular area information, the bearing information, and the power measurement” in such particular context as specified in the claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kageyama (US 2002/0165645) discloses Vehicle Interference Prevention Device.

Information regarding...Patent Application Information Retrieval (PAIR) system... at 866-217-9197 (toll-free)."

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
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Or P.O. Box 1450
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or faxed (571) 273-8300, (for formal communications intended for entry)

Or: (703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314).

Art Unit: 2618

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(571) 272-7880**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay Maung**, can be reached on **(571) 272-7882**. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L
January 27, 2011

John J Lee

/JOHN LEE/
Primary Examiner, Art Unit 2618